

MINUTES

MEETING OF THE RECLAMATION BOARD

March 17, 2006

A regular meeting of The Reclamation Board (Board) was held on March 17, 2006 beginning at 8:15 a.m. in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California.

The following members of the Board were present:

Ben Carter, President
Cheryl Bly-Chester, Vice-President
Teri Rie, Secretary
Rose Marie Burroughs, Member
Lady Bug Doherty, Member
Butch Hodgkins, Member

The following members of the staff were present:

Dan Fua, Acting General Manager
Stephen Bradley, Chief Engineer
Scott Morgan, Counsel
Lori Buford, Staff Assistant

Department of Water Resources staff present:

Les Harder
Rod Mayer
Keith Swanson
Deborah Condon
Bill Burkhard
Kevin Elcock
Jeff Fong
Jay Punia
Ricardo Pineda

Also present (according to sign-in sheet and cards):

Mr. John Sisley, U.S. Army Corps of Engineers (Corps)
Mr. Kent McClain, Three Rivers Levee Improvement Authority (TRLIA)
Mr. Larry Dagus, MBK Engineers
Ms. Tammy Comforti, Corps
Mr. Steve Sutton, Miller Holdings
Mr. Jeremy Goulart, Tonn Development
Ms. Joyce Copelan, American Society of Civil Engineers (ASCE)
Ms. Loren Murray, URS Corporation
Mr. Seth Merevitz, McDonnough, Mullond & Allen
Mr. Eric Nagy, Corps
Mr. Tom Engler, KB Homes
Mr. Scott Shapiro, TRLIA

Mr. Ric Reinhart, MBK Engineers
Mr. Richard Webb, TRLIA
Ms. Pandi Knott, KB Homes
Mr. Seth Wurcie, EPS
Mr. Morgan Rizz, River Islands of Lathrop
Mr. John Taylor, Cassand Kamilos Homes
Mr. Richard Marshall, California Central Valley Flood Control Association
Mr. Darin Gale, North State BIA
Ms. Frances Knight, Khovnanian Homes
Mr. Derek Spalding, DR Horton
Mr. Gregg Ellis, Jones & Stokes
Ms. Alicia Guerra, River Islands of Lathrop
Mr. Paul Devereux, American River Flood Control District (ARDCD)
Ms. Andrea Turk, Psumas

1. ROLL CALL

President Carter brought the meeting to order at 8:05 am. Board members Ms. Teri Rie and Ms. Lady Bug Doherty will arrive later in the Board meeting. Ms. Emma Suarez was unable to attend.

2.* APPROVAL OF MINUTES – December 19, 2005 and January 26 & 27, 2006

Ms. Bly-Chester moved to approve the December minutes Ms. Burroughs declined to vote and asked that this item be tabled until Ms. Rie and Ms. Doherty arrived.

Upon motion by Ms. Teri Rie, seconded by Ms. Bly-Chester, and unanimously carried, the Board approved the December 19, 2005 minutes as presented.

Upon motion by Ms. Teri Rie, seconded by Ms. Doherty, and unanimously carried, the Board approved the January 26 and 27, 2006 minutes as presented with corrections on Item 16, Sutter Bypass.

3.* APPROVAL OF AGENDA

Vice President Bly-Chester said she had to leave by 3:30 p.m. and requested Item No. 16 be heard no later than 3:00 p.m. Item No. 14 was moved to hear after Item 11. Item No. 15 was moved to hear after Item No.6. Item No. 19 was removed. Item No. 8 was moved from Consent Calendar to an Action Item. Member Burroughs requested information on action items be presented to Board members a month in advance. Member Bly-Chester said it is not practical and can not be required but can be requested. Member Burroughs requested information be sent not less than 10 days prior to the Board meeting.

President Carter said if information is not presented in time and members do not feel they are prepared, then that item can be postponed to the following Board meeting. Member Hodgkins agreed that 10 days is reasonable but there are a lot of different agencies and deadlines so may not always be practical. Member Bly-Chester commended Lori Buford for emailing information instead of waiting for the mail. There was no actual vote on approving the agenda.

4. PUBLIC COMMENTS

None.

There were no Public Comments.

5. OUTSTANDING CIVIL ENGINEERING PROJECT OF THE YEAR AWARD

(Ben Carter)

Awards were presented to Mr. Pete Rabbon, former General Manager(GM) of the Reclamation Board for his outstanding work on the Sacramento River Flood Control Project's Upper Sacramento Phase 5 by Ms. Joyce Copelan, 2005-06 President, American Society of Civil Engineers. Ms. Copelan stated the project was completed three months early. Additionally, she commended the Board for their contributions. President Carter stated the credit should go to the previous Board. President Carter then gave an award to Mr. Rod Mayer, Acting Chief, Division of Flood Management and Mr. John Sicily, Corps, for their contributions to the Project. Member Hodgkins also commended them for their positive attitude. President Carter then read Resolution No. 06-09 into the record commending the Corps, Sacramento River West Side Levee District, and project staff.

Upon motion by Ms. Bly-Chester, seconded by Mr. Hodgkins, and unanimously carried, the Board approved and resolution 06-09 be resolved by acclimation as presented.

Project staff, including Pete Rabbon, was requested to stand and be acknowledged by President Carter. Whereupon, President Carter read Resolution No. 06-10, acknowledging Mr. Rabbon as the former General Manager of the Reclamation Board and commending his contributions.

Upon motion by Ms. Bly-Chester, seconded by Mr. Hodgkins, and unanimously carried, the Board approved Resolution No. 06-09 be resolved by acclimation as presented.

Additionally, Mr. Richard Marshall read a Resolution into the record, adopted by the Board of Directors of the Central Valley Flood Control Association, commending Mr. Rabbon for his years of service to the people of California. Thereupon, Mr. Rabbon received a standing ovation. Mr. Rabbon was also presented a painting of a sunrise from President Carter.

6. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (Rod Mayer)

Mr. Rod Mayer, Acting Chief, Division of Flood Management (DFM), presented the Department of Water Resources report of activities. (The report is attached hereto and made a part of these minutes.)

Mr. Mayer also reported on the progress of recovery from the recent high water event and stated that most of the work is done. There was one area, Honker Bay, that had approximately 25 levee breaks and had to be repaired again and again, but the most recent repair appears to be holding. He talked about improvements to the levee inspection process, advising the Board that DWR will only be doing two inspections a year instead of all four and the local agencies will be asked to do the other two to get them more involved. He also noted that the 2005 Inspection Report will be distributed soon. He also noted that the Corps has opened solicitations for PL 84-99 assistance on February 2, 2006 and were going to close them March 3, 2006 but extended the deadline to April 3, 2006. He reported that the \$14.5 million water bond package did not go forward for this year but may next fiscal year.

President Carter asked about progress on hiring the new GM. Mr. Mayer stated he would look into it and get back to the Board. Mr. Mayer then asked Mr. Ricardo Pineda, DFM, to brief the Board on what was presented to SAFCA's Board regarding FEMA's map modernization. Mr. Pineda advised the Board that FEMA's consultant is looking for levee certification records and is unable find any so DWR staff is going through its records to provide information to FEMA. He also provided a copy of a memo from FEMA stating that they will not inspect levees; they rely on consultant inspections. Member Bly-Chester advised Mr. Pineda that UC Berkeley is developing a GIS mapping process and she would e-mail him the information.

Member Hodgkins discussed the article in the Sacramento Bee about FEMA remapping the Central Valley. He thought that this would cause changes in the 100-year floodplain. Member Rie questioned the memo saying FEMA will not inspect levees; only levee location information. Mr. Pineda advised that Mr. Michael Baker, FEMA Consultant, is checking the levee certification information. Member Rie stated that FEMA won't decertify a levee unless a local agency requests it.

Mr. Richard Marshall of CCFVCA commented on Proposition 218 restrictions on funding to locals concerned about cost for inspections because most local reclamation districts don't have staff and asked that the Board look into helping to find funding. Member Burroughs asked about the frequency of the inspections and Rod replied that federal regulations require inspections every 90 days by the superintendent of the area. Member Rie asked if the Board had a budget for this effort. Rod advised that DWR is responsible for inspections per the Water Code and does all the inspections. He said there wasn't sufficient funding in previous years but there is this year. Member Rie asked about inspections of private levees and Rod advised that we have no authority over private levees. Member Rie asked again if there is enough money and Rod advised that we have enough for the levees we're responsible for. He also learned that the 2005 Levee Inspection Report was ready immediately and gave copies to the Board.

7. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY MONTHLY REPORT *(Kent McClain)*

Mr. Kent McClain, Three Rivers Levee Improvement Authority (TRLIA), provided a supplemental report on the project. He stated they had signed the consultant contract with Nordik for the setback embankment and construction will begin Mr. 1, 2006. He related that TRLIA's Board voted to continue to provide 200-year protection by 2008 for the Feather River improvements. He noted that of the more than 800 building permits allowed only 208 have been granted and no permits to occupy any of the houses will be granted until April 13, 20/06. He then turned it over to Mr. Rick Reinhart, MBK Engineers, who presented a PowerPoint presentation describing the progress on Phases 1-3 of the project. He described levee repairs being accomplished in RD 784 and the accelerated schedule for Phase 4. Member Burroughs asked why the work was not completely done and Mr. Reinhart responded that the delay was due to a permit being six weeks late. He related that TRLIA has done three setback levees on the Bear River, created 300 acres of habitat, and completed the foundation for the new levee and that they plan to be done by the end of 2006. He said they've completed the problem identification study for the Yuba River and the current plan is to strengthen in place. The alternate plan is a setback levee but that is too expensive. Scott Shapiro, TRLIA Attorney, then spoke about the need to allow more building permits and occupancy permits in order to raise the funds to continue with the flood control work and detailed the actions that TRLIA's Board will take in April 2006. He said they would meet with the Ad Hoc Committee, conduct public meetings, and consult with landowners. He said that TRLIA was informed by the Corps that the Feather and Yuba Rivers will not be certified as having 100-year protection. He noted that the developers of the project have purchased flood insurance for all residents through 2008. Mr. Shapiro said that the previous board had granted the permit with the condition that public safety issues be taken care of and that TRLIA believes it has met that condition. He said TRLIA would like to continue and complete the work but needs the Board to grant more building permits as the project is totally funded by development and not through public funding. He said if the permits are granted now the work can be completed in the 2006 construction season and if not construction won't be completed until 2008. He said that this is what TRLIA will request at the Board's April meeting. Member Hodgkins summarized TRLIA's position. President Carter commended them on the work they've already done and said it is good that they're addressing maintenance issues. President Carter said the question facing the Board is, "Do we risk the public now to get more protection for all?" Member Hodgkins said that if we don't take the risk the work won't get done. Mr. Shapiro reminded the Board that the program is self sufficient with no government funding. Member Doherty asked if the Bear River had ever overtopped its levee and Mr. Reinhart replied that it had in 1986 and 1997. Member Bly-Chester asked how many homes were flooded and he replied that there were approximately 3000 homes flooded in 1986 and 300 in 1997. Member Bly-Chester said she didn't understand why the Board negotiated the number of permits in the first place and asked to see copies of the permits that had already been granted. Mr. McClain said that approximately 40 percent of Yuba County residents are protected by that levee. Member Bly-Chester asked if all the project property was zoned residential and Mr. McClain said no. Member Doherty asked how much funding is needed to complete the project. Mr. Reinhart said that initially the project was estimated at \$28 million but when they came to the Board with Phase 3 it had increased to \$65 million and Phase 3 is currently estimated at \$105 million. He said Phase 4 will cost between \$80 and \$135 million and they can't raise that kind of funding without being able to sell more property. Member Doherty asked how much is flood insurance per home, what is the cost per owner, and how many homes do they need to build to complete the project.

Mr. Reinhart said that the cost is currently \$300 to \$400 per year but that cost is being borne by the developers through 2008. He said that there is no projected cost yet but it will probably cost around \$11,000 to \$15,000 per home. Mr. Shapiro explained how they plan to finance the project through bonds. Member Doherty asked if homeowner will be able to afford flood insurance and Mr. Shapiro responded that he didn't know. He said that currently flood insurance is not required but Yuba County recommends that all homeowners have flood insurance. He also said that FEMA's map revision in 2007 will take Yuba County out of the 100-year floodplain and then flood insurance will be required. Mr. McClain closed by asking if what would be the greatest risk; going forward or waiting. He said TRLIA needs to move forward.

CONSENT

8.* CONSENT CALENDAR

Delegation Order Reclamation Board Resolution Number 06-08 (*Scott Morgan*)

President Carter advised that DWR can count on the Board to cooperate on flood control issues. Member Bly-Chester said that this is relevant to Item No. 13 and should be discussed then. Mr. Scott Morgan began by stating this item was postponed from last month because Member Suarez was absent and that she is also absent this month. He noted changes to the order by Member Rie and himself. He explained that the order delegates authority to the GM to approve encroachment permits for the emergency work needed on the levees. Member Bly-Chester expressed concern that more might go into the emergency repair and requested language limiting the GM's authority. Member Hodgkins said that the Governor declaring an emergency is a huge step and limitations aren't needed. Member Bly-Chester argued that it would give the Board a chance to set conditions or make contributions. President Carter said that the GM could be given discretion to bring items before the Board if necessary and asked if Mr. Morgan could quickly draft language to amend the delegation.

Upon motion by Ms. Doherty, seconded by Ms. Burroughs, and unanimously carried, the Board approved for the Consent Calendar be tabled until after lunch.

Member Burroughs added that she would like the Board members to be invited on the next helicopter tour and Les Harder responded that he would pass the request along. After lunch language was changed in the delegation to delete Section N and discussion continued regarding limiting the GM's authority. Mr. Morgan advised that the delegation is more guidance than anything else as the GM will be reporting to the Board monthly and the Board will still have the ultimate authority.

Upon motion by Ms. Rie, seconded by Ms. Bly-Chester and unanimously carried, the Board approved Resolution No. 06-08 "Delegations to General Manager" with modifications as presented.

REQUESTED ACTIONS

9.* PROJECT OR STUDY AGREEMENTS

None.

There were no Project or Study Agreement Items.

10.* PROPERTY MANAGEMENT

None.

There were no Property Management Items.

11.* APPLICATIONS

Three Rivers Levee Improvement Authority (Scott Morgan)

Approve letter to U.S. Army Corps of Engineers requesting alteration of Sacramento River Flood Control Project and providing necessary assurances of nonfederal responsibility for the completed project.

Secretary Rie and Member Hodkins, reported on the 408 Task Force meeting with the Corps. Mr. Scott Morgan, Board Counsel, Mr. Ric Reinhardt, MBK Engineers, together with Mr. Scott Shipiro, Attorney, TRLIA, provided a presentation on the above item.

Member Rie recommended the Board approve the Three Rivers Levee Improvement Authority Project so they can finish the levee setback; however, no action was taken.

12.* ENFORCEMENTS

None.

There were no Enforcement Items.

13.* PERMIT ACTIONS

Reclamation Board Permit No. 17035 (Scott Morgan)

Approve language of Joint Use Agreement between CalTrans and various local districts to address issues concerning the effect of State Route 160 guardrails on levee operations, maintenance and repair.

This was heard after Item 8. Mr. Morgan stated that he got an e-mail from CalTrans with counter language; however, there are no comments from the locals yet. It was agreed to postpone this until the April 21, 2006 Board meeting.

Member Bly-Chester commented that the site in question is one of the sites in the emergency declaration.

14.* 408 PROCESS (Dan Fua)

Consider recommendations by the 408 Task Force including correspondence and next steps.

Member Rie stated that the Task Force has nothing further beyond what was discussed in Item No. 20.

INFORMATIONAL BRIEFINGS

15. GOVERNOR'S EMERGENCY DECLARATION (Rod Mayer)

This item was heard directly after Item 6. Rod Mayer related that the Governor declared an emergency for 24 critical erosion sites that DWR has to repair this year. DWR is currently trying to get the funding, staff, and contractors on board. He then introduced the project manager, Dan Kurosaka of the Bay-Delta Office. Mr. Kurosaka said that he and Corps staff attempted to inspect these sites but couldn't see because of high water. He said that as long as the rain continues, reservoirs will continue to release water and the flood channels will have high water. They will attempt another inspection after the rainy season ends. He then presented a PowerPoint presentation of the Corps' Ayres Report showing pictures from the previous year's inspection of the sites. There are 17 sites on the Sacramento River, 2 on the Bear River, 2 on Cache Creek, 2 on Cache Slough, and 1 on Steamboat Slough. He related that initially, we had thought that the repairs could be done by barge, but that will not be possible and will make the repair more expensive. He said that as of the meeting date, DWR had engaged consultants, identified the landowners, met with regulatory agencies regarding the permit process, done land surveys, and begun collecting data. He said that design has begun for the Cache Creek and the Corps has been asked for their help. He noted that it will cost approximately \$114 million to repair 21,000 feet of bank and we hope to get the money from the Governor's Emergency Fund. Member Bly-Chester asked about the timeline and he replied that other agencies appear to be cooperative and interagency agreements are being prepared to expedite the process. He said the repairs must be done by year end and the biological opinions and environmental review will be the most time consuming. Member Bly-Chester commented that federal agencies are ready to participate but two of the agencies have very strict guidelines that may cause delays. Mr. Kurosaka said that all State agencies have been directed to cooperate with DWR as funding is made available. President Carter said that DWR will accelerate the process and the funding. Member Burroughs asked why the repairs can't be done by barge and Mr. Kurosaka responded that it is due to low water levels during the dry season. Member Hodgkins asked about DWR's contracting ability. He said that he is aware of only two contractors that could do the repairs and wanted to know if the sites are being prioritized. Mr. Kurosaka responded that DWR is working

on it. Member Bly-Chester asked if the Cache Creek sites would be setback levees. Mr. Kurosaka said that had not been evaluated yet. Member Bly-Chester asked that it be available for the next meeting. Mr. Kurosaka also advised the Board that Lori Buford had been given fact sheets on all the sites.

16. RIVER ISLANDS PROJECT (Steve Bradley)

This was discussed right after Item 20. Susan Dell'Osso of River Islands briefed the Board on project progress and went over the actions they will be requesting of the Board at the April meeting. Discussion continued after Item 14. Ms. Dell'Osso stated that she had sent a letter to President Carter saying that 20810 is the right authority to use for project approval and that the approval be kept at the District level and not go to DC. She also asked that she be invited to subsequent Task Force meetings. Steve Bradley, Chief Engineer for the Board then gave a briefing on project progress and Ms. Dell'Osso gave an overview with a PowerPoint presentation of the project. There was discussion of liquefaction and inflow hydraulics. Mr. Morgan went over the potential liability for the State and Member Rie expressed concern about the Board requiring 200-year protection when the regulations state 100-year. Mr. Morgan said that the Board does have some regulatory authority to require the higher level. Member Rie said that would put a burden on local agencies and you can't increase design flow without system wide improvements. It was eventually decided after more discussion that the Board should wait until all information is available before making a decision. The plan for Paradise Cut was discussed. Ms. Dell'Osso gave a PowerPoint presentation detailing the plan to fill between the levees and the ecosystem restoration that will occur. She also stated that the project sponsor has volunteered to provide 200-year protection. Member Rie questioned Mr. Archer of MBK Engineers about the design capacity for Paradise Cut and the amount of freeboard that it should be designed for. Easement requirements were also discussed. Alicia Guerra, attorney for River Islands also spoke. Member Hodgkins asked about seism city issues and liability to the State in that event. Mr. Morgan advised that there are standards of construction but in any event the State would probably have some liability. The Board decided to hear further discussion on this item in April.

17. RECLAMATION BOARD STRATEGIC PLAN (Butch Hodgkins)

Member Hodgkins advised that the plan isn't ready yet.

18. RECLAMATION BOARD OPERATIONAL PROCEDURES (All Board Members)

President Carter talked about the agenda process and stated that guidelines are being developed by Member Rie. Member Doherty asked how many were on the committee and Member Rie replied that there are three and the process is going well. Member Burroughs noted that Member Suarez had commented that she was reluctant to vote on some issues if information was not provided early enough and she thinks the President should have the last word on whether to allow something on the agenda if it's presented late. Further discussion was had on agendizing items and how to resolve disagreements between Board members. It was also asked if a member could call in and participate in a meeting. Mr. Morgan advised only if it's announced in advance to the public. Bagley-Keene regulations were discussed. It was agreed that a standing item would be added to the agenda to

discuss items pending on future agendas. There was also discussion of who would have ultimate authority as to what goes on the agenda.

Upon motion by Ms. Doherty, seconded by Ms. Rie, and unanimously carried, the Board approved that further discussion be put off until other members are present.

Member Burroughs advised that San Joaquin Levee District asked to host the Board's May meeting. President Carter said that he received a letter with that request and arrangements are being made. President Carter related that he and other members met with Senator Keene (?) and the Senator expressed concern about environmental issues. President Carter referred him to DWR staff. Member Burroughs asked for a closed session to discuss personnel issues. Status of filling the GM position was asked of Les Harder who replied that five or six individuals were contacted and all declined. There was further discussion about the Board's options and whether it would be appropriate for members to recruit.

19. OPEN MEETING LAWS (Scott Morgan)

Removed from the agenda.

BOARD REPORTS

20. BOARD COMMENTS AND TASK LEADER REPORTS

This was discussed right after Item 8. Member Rie talked about the 408 Task Force meeting with the Corps. She discussed the Corps process and said that federal law prevents the Corps from partnering on privately funded projects. She said that Section 408 of the Federal Code of Regulations states that any alteration to a federal project levee must be approved by the Secretary of the Army with approval from the Chief Engineer in Washington, DC. She said that the response from the public was overwhelmingly to keep approval at the District level. She said the Board will make a recommendation to the Corps but is not ready yet. Hodgkins said there's been lots of discussion with the Corps about this but all Board members were not involved. He said the entire Board needs to be briefed and then have time to make a recommendation to the Corps. Member Bly-Chester said that any letter on this should go through legal review and Les Harder advised that caution should be used when addressing the Corps on this issue. He advised that the Board should coordinate with DWR and the Corps to polish the language in the recommendation. Member Bly-Chester expressed concern because Three Rivers has requested that the Board send a letter to the Corps requesting expedited 408 approval for their project and if that is sent and then the Board recommends keeping levee alteration approval at the District level the Board will be contradicting itself and will set a precedent that the Board doesn't want. It was eventually decided that Three Rivers will send a letter to the Board officially requesting that the Board address expedited federal approval on their project so that it's not the Board's request but the project sponsors. Member Bly-Chester moved that no 408 recommendation be sent to the Corps until review by legal. Member Rie wanted more discussion.

Upon motion by Mr. Hodgkins, seconded by Ms. Bly-Chester, the Board directed staff to work with the Corps and DWR to develop a letter in response to Three Rivers' request and reference

the Corps' 2/9/06 letter stating that no harm be done to the public. Member Bly-Chester asked that the motion be amended to work toward a goal of having the letter ready for signature by Friday, March 27, 2006. Motion was and unanimously approved as presented and amended.

21. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

No report was given.

22. ADJOURN

Upon motion by President Carter, the meeting was adjourned at 4:40 p.m.

Dated: July 21, 2006

Teri E. Rie
Secretary

The foregoing minutes were approved:

Benjamin F. Carter
President

MINUTES
MEETING OF THE RECLAMATION BOARD
APRIL 21, 2006

A regular meeting (Open Session) of The Reclamation Board was held on April 21, 2006 beginning at 8:00 a.m. in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California 95814. President Carter announced that Emma Suarez had resigned from the Board.

The following members of the Board were present:

Benjamin Carter, President
Cheryl Bly-Chester, Vice-President
Teri Rie, Secretary
Rose Marie Burroughs, Member
Lady Bug Doherty, Member
Butch Hodgkins, Member

The following members of the staff were present:

Dan Fua, Acting General Manager
Stephen Bradley, Chief Engineer
Scott Morgan, Counsel
Lori Buford, Staff Assistant

Department of Water Resources staff present:

Jeff Fong
Jeanne Kuttel
Mike Mirmazaheri
Linus Paulus
Deborah Conden
Keith Swanson
Duane Cornett
Steve Dawson
Allen Davis
Rod Mayer

Also present (according to sign-in sheet and cards):

Mr. George Basye, Brannan Andrus Levee District, RD 3 and RD 349
Mr. Les Bownam, City of West Sacramento
Ms. Susan Dell'Osso, River Islands of Lathrop
Mr. Jim Dunn, Slawson Exploration
Mr. Uri Eliahu, ENGEO
Mr. Gregg Ellis, Jones & Stokes
Mr. Tom Eres, Hofman Randh
Mr. Thomas Foley, Concerned Citizens for Responsible Growth
Mr. Richard Hartzell, Sacramento Riverfront Association
Ms. Deb Kollars, Sacramento Bee
Mr. Kent McClain, Three Rivers Levee Improvement Authority (TRLIA)
Mr. Ric Reinhardt, MBK Engineers

Mr. Mike Salyer, Department of General Services
Mr. Don Schrader, Yuba County Board of Supervisors
Mr. Scott Shapiro, TRLIA
Mr. Frank Sieferman
Dr. Dale Smith, Concerned Citizens for Responsible Growth
Mr. Val Toppenberg, City of West Sacramento Redevelopment Agency (RDA)
Mr. Tim Youmans, Economic & Planning Systems
Mr. Mike Zilis, Walker Macy
Ms. Lori Clamum, Delta Protection Commission
Mr. Paul Harper
Mr. John Taylor, Plumas Lake Builders Corp
Mr. Mark Traver, Heritage Homes
Mr. Seth Mercritz
Ms. Shannen Zuspan, RDA
Ms. Lori Jackson, JTS Communities
Ms. Priya Sathyanarayan, CH2M Hill
Mr. Richard Webb, RD 784 and TRLIA
Mr. Seth Wurzel, EPS
Mr. Paul Brunner
Mr. Steve Sutton
Mr. Phil Hendrix, Plumas ESD
Ms. Frances Knight, K. Hounanian Homes
Mr. Al Franzoia
Mr. Jeremy Goulart, Towne Development
Mr. Scott Clark, COE
Mr. Dick Marshall, California Central Valley Flood Control Association
Mr. Pat Beechen, County of Yuba
Mr. Rand Knott, KB Home
Ms. Mary Griego, Yuba County
Mr. Gregg Herrington, Unger Riverfront
Mr. Steve Chainey, MIG
Ms. Lynn O'Leary, U.S. Army Corps of Engineers
Ms. Chelsea Cochran, Walker Macy
Mr. Brijeshwar Jhutti

1. ROLL CALL

President Carter brought the meeting to order at 8:00 a.m. All Board members were present except for Butch Hodgkins and Teri Rie, who were expected soon.

2.* APPROVAL OF MINUTES – February 17 and March 17, 2006

Minutes for the February 17 and March 17, 2006 meetings were not submitted for approval due to Division of Flood Management being on flood alert status. These minutes will be presented to the Board for approval at the May 21, 2006 Board meeting.

3.* APPROVAL OF AGENDA

Upon Motion of Ms. Bly-Chester, seconded by Ms. Doherty, and unanimously carried, the Board approved the agenda with the following corrections: Item No. 6 was moved to and combined with Item No. 13B; Item No. 14 was removed from the agenda; and Item No. 20 was moved to follow Item No. 17.

4. PUBLIC COMMENTS

Mr. Richard Hartzell of the Greenhaven/Pocket area spoke regarding the upcoming erosion control measure work. He referred to a letter he had received from the Board around 2001 asking him to remove rocks he had put to protect against erosion on his property on the Sacramento River as it did not meet Board standards. He questioned work that has been done more recently, erosion control work, which does not meet standards and is questioning what standards are to be met. Ms. Doherty requested him to put his concerns in writing. President Carter advised Mr. Hartzel that the Reclamation Board and Department of Water Resources' staff would meet with him to discuss his concerns and try to come to a recon.

5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (Rod Mayer)

DFM Acting Chief Rod Mayer gave a brief verbal report of activities of DWR. The report is attached hereto and made a part of these minutes. He also updated the Board on high water events during the month of April, and also reported on critical erosion repairs.

Upon motion by Ms. Bly-Chester, seconded by Mr. Hodgkins, and unanimously carried, the Board approved that a Resolution be developed to express appreciation to those employees who worked on the flood fight this year. This would be presented at the May 21, 2006 meeting.

CONSENT

7.* CONSENT CALENDAR

There were no consent Calendar items.

REQUESTED ACTIONS

8.* APPLICATIONS

River Islands Fill Permit Application No. 18018, Califia, LLC, San Joaquin River, Lathrop
(Steve Bradley)

Consider approval of Application No. 18018 to place fill between an existing interior private levee and project levees of the San Joaquin River and Tributaries Project in RD-2062.

Chief Engineer Steve Bradley provided a presentation, with power-point, providing background on the project requesting to place fill against project levees. Ms. Susan Dell'Osso, Project Director for River Islands of Lathrop, then made a presentation and answered questions. Ms. Dell'Osso agreed that there were two separate permits for the project. Discussion followed regarding permits and encroachment issues. There was much discussion regarding change of language to the fill permit.

Upon motion by Ms. Burroughs, seconded by Ms. Doherty, calling for delay of this item, due to a change of language, till the May, 2006, meeting; motion was voted down, five nos and one yes. Ms. Burroughs was the one "yes" vote. Thereupon, discussion continued.

Staff Counsel Scott Morgan strongly advised the Board on more than one occasion that they should not be voting on this item due to the additional language in the permit regarding building and encroachments. The additional language had not been publicly noticed and; therefore, may be in violation of the Bagley Keene Act. Staff Counsel Morgan said "I just wanted to remind the Board my legal advice is that this agenda item does not deal with encroachments or easements, only with fill. And I would recommend that the Board not take action on something other than fill at this meeting." Ms. Bly-Chester stated that "we've had a number of votes on applications that had special conditions attached to them that we've added at the Board Meeting." Staff Counsel Morgan replied, "But this is a substantial change from what was proposed and what was presented to the public. The public could not reasonably anticipate this from what was in the Board packet."

Upon motion by Mr. Hodgkins, seconded by Ms. Doherty with addition of amendments, the Board voted on whether to approve the application with changes. One, on Item No. 15, making it a 60-day review plus a 30-day follow-up time period, not to exceed 90 days; and with regard to Item No. 31, the easement be either 45 feet or the existing easement, whichever is greater, plus a 5-foot building setback. Motion was carried by a 5 – 1 vote, Ms. Burroughs was the one no vote.

9.* PROPERTY MANAGEMENT

Oil and Gas Lease No. 2006-02-RB, Tisdale Bypass, Sutter County (Jeff Fong)

Consider adoption of Resolution No. 06-12 declaring the Board's intent to accept a bid for Oil and Gas Lease No. 06-02, and to delegate authority to the Board's President and Secretary to execute the lease for oil and gas production in Sutter County.

Mr. Jeff Fong, DWR, explained the process of putting land up for bid. There were two written bid packets received. A bid of 20% from Slawson Exploration Company, Inc. and a bid of 21% from Brijeshwar Jhutti. Bidding was then opened for oral bids. Mr. Jim Dunn representing Slawson entered a bid of 22.05%.

Upon motion by Ms. Doherty, seconded by Mr. Hodgkins, and unanimously carried, the Board approved Resolution 06-12 accepting the bid from Slawson Exploration Company, Inc.

10.* QUITCLAIM DEED, DGS SURPLUS PROPERTY, CITY OF RIO VISTA, SOLANO COUNTY
(Jeff Fong)

Consider approval and execution of a quitclaim deed of surplus property being sold by the California Department of General Services in the City of Rio Vista, Solano County.

Mr. Jeff Fong, DWR, presented the details of the quitclaim deed which is essentially a change in title; he explained that the Board's easements on the property would stay in place.

Mr. Mike Salyer, Department of General Services, explained that after transfer of jurisdiction to Department of Fish and Game, F&G surplused the property, which was then sold.

Upon motion by Ms. Bly-Chester, seconded by Ms. Doherty, the Board voted 4 to 1 to adopt the recommendation for the quitclaim deed. Mr. Hodgkins was the one no vote.

11.* PROJECT OR STUDY AGREEMENTS

There were no Project or Study Agreement items.

12.* ENFORCEMENTS

There were no Enforcement items.

6. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY MONTHLY REPORT *(Kent McClain)*

Mr. Kent McClain, Executive Director of the Three Rivers Levee Improvement Authority, presented an update to his monthly report. Mr. Scott Shapiro, TRLIA, reported on Permit Action No. 13B.

13.* PERMIT ACTIONS

A. Reclamation Board Permit No. 17035 *(Scott Morgan)*

Approve language of Joint Use Agreement between CalTrans and various local districts to address issues concerning the effect of State Route 160 guardrails on levee operations, maintenance and repair.

Staff Counsel Scott Morgan made his report on this permit, which is an agreement with CalTrans, to approve technical modifications which would change the Introduction, Special Condition 14 and Special Condition 16 to insert the names of Reclamation Districts 341 and 349. George Basye, attorney for Brannan Andrus Levee District, also spoke regarding the permit.

Upon motion to approve permit by Ms. Bly-Chester, seconded by Mr. Hodgkins, and unanimously carried, the Board approved Permit No. 17035.

B. Three Rivers Levee Improvement (Steve Bradley)

Consider resolution to adopt findings required by Special Condition 13 of Permit #17782 BD that the conditions regarding the continued increase in human habitation in an area with known flood risk has been resolved to the satisfaction of the Board.

Mr. Scott Shapiro, TRLIA, gave a presentation addressing the issue of habitation in an area with known flood risks. Mr. Steve Bradley, Chief Engineer for the Board, also presented material relating to the issuance of Permit #17782. The Board also heard testimony from: Mr. Ric Reinhardt, MBK Engineers, Program Manager for TRLIA, regarding flood risks; Mr. Don Schrader, Chair of Yuba County Board addressed the issue of evacuation routes in the event of flooding; Mr. Tim Youmans, Economic and Planning Systems, addressed the issue of how funding would be put in place; Staff Counsel Morgan pointed out the alternative resolution he had prepared that was separate from the Board packet; Tom Foley and Dale Smith, Yuba County Concerned Citizens for Responsible Growth, both addressed the issue of public funding for infrastructure; and Mr. Tom Eres, Legal Counsel for Hofman Ranch, expressed concerns his client has regarding equal protection of any flood works.

Upon motion by Mr. Hodgkins to approve resolution as drafted by Staff Counsel Morgan, and seconded by Ms. Doherty, motion was carried by a vote of four ayes. There was one pass, and one no. Ms. Bly-Chester was the “pass” vote; Ms. Burroughs was the “no” vote.

14.* RESOLUTION OF NECESSITY – RECLAMATION BOARD PARCEL NO. 13344
(Linus Paulus)

Removed from Agenda.

15.* 408 PROCESS (Dan Fua)

Moved to May Agenda.

16.* MAINTENANCE AREA BUDGETS (Keith Swanson)

Keith Swanson, Chief of DWR's Flood Maintenance Office, presented the proposed 2006-2007 maintenance area budget in the amount of \$2,701,796. He answered questions from the Board regarding several maintenance projects.

Upon motion by Ms. Doherty, seconded by Ms. Bly-Chester, and unanimously carried, the Board approved the Maintenance Area Budget.

INFORMATIONAL BRIEFINGS

17. RECLAMATION BOARD OPERATIONAL PROCEDURES (All Board Members)

Moved to May Agenda.

18. WEST SACRAMENTO PROPOSED DEVELOPMENT OF TRIANGLE AREA *(Steve Bradley)*

Chief Engineer Steve Bradley introduced Mr. Les Bowman, City of West Sacramento, who gave an informational briefing on the proposed development of Triangle Area (west side of the river between the Pioneer Bridge and the I-80 Bridge; it is comprised of approximately 180 acres). Also present was Mr. Mike Zilis of Walker Macy, Mr. Greg Ellis of Jones & Stokes and Mr. Val Toppenberg of West Sacramento Redevelopment Agency, all of who answered questions from the Board. It was decided that a field trip would be taken at the June Board meeting to view the property.

19. DELTA LEVEES REPORT TO CONGRESS *(Dan Fua)*

Moved to May Agenda.

20. CACHE CREEK NORTH LEVEE SETBACK PROJECTS FOR CRITICAL EROSION SITES
(Deborah Condon)

Ms. Deborah Condon, DWR, Project Manager for the Sacramento River Bank Protection Program, presented an informational briefing on the Cache Creek setback levees. She pointed out the three sites that are listed on the Governor's critical erosion site list and stated work is being done in a joint partnership between the Reclamation Board and the U.S. Army Corps of Engineers. Ms. Condon, also presented slides indicating the design and gave a time-line for repairs. Comments were also heard from Mr. Al Davis, DWR, Chief, Acquisitions and Utility Relocations, who also addressed questions from the Board, and Mr. Frank Siefertman, resident, who also spoke of the problems along Cache Creek.

21. RECLAMATION BOARD STRATEGIC PLAN *(Butch Hodgkins)*

Moved to May Agenda.

BOARD REPORTS

22. BOARD COMMENTS AND TASK LEADER REPORTS

Ms. Burroughs presented a written report for the Lower San Joaquin Levee District. Ms. By-Chester reported on the Agency Interaction Task meeting. Ms. Bly-Chester also asked questions on the status of hiring a General Manager. There was some discussion as to the correct process; issue will be put on the May agenda.

23. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

Dan Fua, Acting General Manager, presented his written report to the Board.

24. FUTURE AGENDA

Issue of hiring a General Manager will be put on the May agenda. May meeting will be in Merced.

25. ADJOURN

Upon motion by Ms. Rie, seconded by Ms. Bly-Chester, and unanimously carried, the meeting was adjourned at 6:20 p.m.

Dated: July 21, 2006

Teri E. Rie
Secretary

The foregoing minutes were approved:

Benjamin F. Carter
President

MINUTES

MEETING OF THE RECLAMATION BOARD

May 19, 2006

A regular meeting of The Reclamation Board was held on May 19, 2006 beginning at 8:00 a.m. in the Merced County Supervisor's Board Room, 2222 M Street, 3rd Floor, Merced, California 95340.

The following members of the Board were present:

Benjamin Carter, President
Rose Marie Burroughs, Member
Lady Bug Doherty, Member
Butch Hodgkins, Member

The following members of the staff were present:

Stephen Bradley, Chief Engineer
Scott Morgan, Counsel
Lori Buford, Staff Assistant

Department of Water Resources staff present:

Jeff Fong
Tim Kerr
Mike Mirmazaheri
Annalena Bronson
Deborah Condon
Larry Lee
Rod Mayer
Erin Mullin

Also present (according to sign-in sheet and cards):

Mr. Glenn Gebhardt, River Islands of Lathrop
Mr. Steven Giesbrecht, Butte City
Mr. Jose Puente, Hamilton City Citizens in Action
Ms. Lee Ann Grigsby-Puente, Hamilton City-RD 2140
Mr. Al Franzola, Lennar
Mr. Steve Sutton, Miller Holdings
Mr. Reggie Hill, Lower San Joaquin Levee District
Mr. Randi Knott, KB Homes
Mr. Kent McClain, Three Rivers Levee Improvement Authority (TRLIA)
Mr. Seth Merewitz, McDough, Holland and Allen
Ms. Lynn O'Leary, U.S. Army Corps of Engineers (Corps)
Mr. Bill Paris, RD 2040
Mr. Erwin Hayer, Rio Linda Chamber of Commerce
Mr. Scott Shapiro, TRLIA
Mr. David Van Rign, Corps
Ms. Shannen Zuspan, West Sacramento Redevelopment Agency (RDA)

1. ROLL CALL

President Carter brought the meeting to order at 8:00 am. All Board members were in attendance except for Cheryl Bly-Chester and Teri Rie. Additionally, Mr. Steve Bradley, Chief Engineer for the Board acted as General Manager in Mr. Dan Fua's absence.

2.* APPROVAL OF MINUTES – February 16 & 17, March 17 and April 6, 2006

Upon motion by Ms. Doherty, seconded by Mr. Hodgkins, and unanimously carried, the Board approved the February 16 & 17, 2006 minutes. Minutes for March 17 will be brought back to the Board for approval at the June 16 meeting. The April 6 meeting will not be presented for approval, as a court reporter was not present. However, the meeting was tape-recorded and the tapes will be transcribed and posted on the Board's website.

3.* APPROVAL OF AGENDA

Upon motion by Ms. Doherty, seconded by Ms. Burroughs, and unanimously carried, the Board approved the May 19, 2006 agenda as amended to hear Item No. 15 directly following Item No. 5 and Item No. 7 will directly follow Item No. 12.

4. PUBLIC COMMENTS

Ms. Susan Zuspan, West Sacramento River Walk Promenade Design Project (WSRWPP), City of West Sacramento, in regards to the "conceptual designs for the promenade project that was discussed in and Workshop on April 21, 2006, Ms. Zuspan reported that they have been working closely with the Board's staff to identify the next steps in their application process and to move forward with the application process to return back to the Board. Ms. Zuspan requested the Board to form a subcommittee to work with their project team. President Carter announced that the Board will agendize this request and placed on the June 16 agenda.

Mr. Reggie Hill, Lower San Joaquin Levee District, extended his thanks to the Board for accepting their invitation to tour areas of the southern portion of the San Joaquin River and Chowchilla Bypass.

5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (Rod Mayer)

Mr. Rod Mayer, Acting Chief of the Division of Flood Management, presented DWR's Report of Activities. (The report is attached hereto and made a part of these minutes.)

6. STATE OF EMERGENCY – BOARD ACTIONS (Steve Bradley)

Chief Engineer Steve Bradley, advised the Board that he signed an amendment to the existing Sacramento Bank Protection Program. This allowed the State to advance funds to the Corps for the project in order to proceed with some emergency repairs. Additionally, President Carter

and Legal Counsel Morgan were in agreement and also signed the amendment. Mr. Bradley also signed a notice stating that no lobbying had occurred.

Additionally, Mr. Bradley provided an update on the emergency repairs. A permit has been received for sixteen sites for repair that will be handled as one permit, with each site having a different sub-category so they can be issued as they are submitted.

AT THIS TIME, PRESIDENT CARTER ANNOUNCED THAT ITEM NO. 15, ELDERBERRY PLANTINGS POLICY, INFORMATIONAL BRIEFING, WOULD NOW BE PRESENTED.

15. ELDERBERRY PLANTINGS POLICY (Rod Mayer)

Chief Engineer Steve Bradley, stated that the Board was not directly affected; however, the Board affects the ability of DWR to do O&M by allowing these to go on. The Board cost-shares with the Corps where the Board is the non-federal partner. Ms. Annalena Bronson, DWR Environmental Scientist, provided background information on elderberries, and particularly how it pertains to the project. Considerable discussions and concerns ensued regarding planting elderberries in the floodway and mitigation issues. Board staff was requested to work together with DWR staff to develop a draft policy to use as a guide.

CONSENT

8.* CONSENT CALENDAR

None.

There were no Consent Calendar items.

REQUESTED ACTIONS

9.* PROJECT OR STUDY AGREEMENTS

- A. American River Common Features Pioneer Reservoir Levee Seepage Berm and Relief Well Project (Erin Mullin)

Consider approval of Resolution No. 06-16 to:

1. Adopt Mitigated Negative Declaration; and
2. Adopt Mitigation Monitoring Plan; and
3. Approve the construction of the Project.

Ms. Erin Mullin, DWR Project Manager, provided a brief introduction, background, the problem description and proposed repair, and schedule for construction. Due to the excessive under-seepage the levee does not meet FEMA 100-year protection standards. Mr. Annalena Bronson, DWR Project

Manager, addressed the environmental issues and process. The Board also heard testimony from Mr. Tim Kerr (DWR Project Manager), Chief Engineer Bradley and Grant Kreinberg (SAFCA).

Upon motion by Mr. Hodgkins, seconded by Ms. Doherty, and unanimously carried, the Board approved Resolution No. 06-16 as presented.

- B. Sacramento River Bank Protection Project, Pocket Area Erosions Sites - RM 49.6L, 49.9 L, 50.2L, 50.4L, 50.8L, 51.5L, 52.4L and 53.1L (Deborah Condon)

Consider approval of Resolution No. 06-17 to:

1. Adopt Mitigated Negative Declaration; and
2. Adopt Mitigation Monitoring Plan; and
3. Approve the construction of the Project.

Ms. Deborah Condon, DWR Project Manager, presented the above item to the Board and requested approval of Resolution No. 06-17. Board also heard testimony from Tim Kerr (DWR Project Manager).

Upon motion by Ms. Doherty, seconded by Mr. Hodgkins, and unanimously carried, the Board approved Resolution No. 06-17 as presented.

- C. Hamilton City Flood Damage Reduction and Ecosystem Restoration Project (Larry Lee)

Consider approval of Resolution No. 06-18 to:

1. Direct Staff to negotiate an amendment to the Design Agreement between The Department of the Army (Army) and The Reclamation Board (Board) of the State of California for the Design of the Hamilton City Flood Damage Reduction and Ecosystem Restoration Project, California for the purpose of advancing non federal funds to the Army; and
2. Delegate authority to the President or Secretary of the Board to sign the negotiated amendment to the Design Agreement between the Army and the Board.

Mr. Larry Lee, DWR Project Manager, provided background information and requested the Board to approve Resolution No. 06-18. Approval of this resolution will allow the State to advance funds to the full cost-share amount of \$764,500 to the Corps to move forward with the first part of the PED study. The Board also heard testimony from Mr. David Van Rijn, Corps and Mr. William Paris, Attorney for the Hamilton City Reclamation District 2040.

Upon motion by Ms. Burroughs, seconded by Mr. Carter, and unanimously carried, the Board approved Resolution No. 06-18 as presented.

AT THIS TIME, PRESIDENT CARTER ANNOUNCED THAT ITEM NO. 9D, SACRAMENTO RIVER BANK PROTECTION PROJECT, CACHE CREEK NORTH LEVEE SETBACK PROJECTS, WOULD BE BROUGHT BACK TO THE JUNE 16, 2006 BOARD MEETING FOR CONSIDERATION OF APPROVAL.

10.* PROPERTY MANAGEMENT

Easement Deed – California Department of Transportation, Yuba County (Jeff Fong)

Consider approval of a highway easement to the California Department of Transportation for the widening of Highway 70 north of the Bear River, approval of an access easement to Pacific Gas and Electric Company and Reclamation District 784, and acceptance of a replacement access easement.

Mr. Jeff Fong, DWR Land and Right-of-Way Division, presented the above item to the Board and requested the Board to approve the right-of-way contract and various use easements for this project.

Upon motion by Ms. Burroughs, seconded by Ms. Doherty, and unanimously carried, the Board approved Resolution No. 06-18 as presented.

11.* ENFORCEMENTS

None.

There were no Enforcement items.

12.* APPLICATIONS

Application No. 18032, Butte Basin, Glenn County (Mike Mirmazaheri)

Consider approval of Application No. 18032, to construct a 2-story private residence within Area E of the Butte Basin, located northeast of Butte City, north of State Highway 162, at 7813 County Road 61, in Glenn County.

Mr. Mike Mirmazaheri, DWR Manager, presented the above application and requested approval of Application No. 18032. Mr. Mirmazaheri also provided a briefing on the Butte Basin Project. The Board also heard testimony from Chief Engineer Bradley and Mr. Steven Giesbrecht (Glenn County).

Upon motion by Ms. Burroughs, seconded by Ms. Doherty, and unanimously carried, the Board approved Application No. 18032 as presented.

AT THIS TIME, PRESIDENT CARTER ANNOUNCED THAT ITEM NO. 7, THREE RIVERS LEVEE IMPROVEMENT AUTHORITY MONTHLY REPORT, WOULD NOW BE PRESENTED.

7. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY MONTHLY REPORT *(Kent McClain)*

NOTE: TRLIA will submit a written report for this meeting. TRLIA will be available to answer Board questions on this item prior to agenda item 13.

Mr. Kent McClain, Three Rivers Levee Improvement Authority (TRLIA) presented the above titled report to the Board and provided an updated supplemental report: 1) work has begun on the Western Interceptor Canal and Pump Station No. 6; 2) construction on the setback levee has also begun and Corps' Sacramento District has forwarded the request for the simultaneous degradation of the levee to Washington, DC HQ; 3) TRLIA has contracted with "Bender Rosenthal" for acquisition of right-of-way and rights for the Phase 4 work on the Feather and Yuba Rivers for the geotechnical and the actual construction work; 4) the building permits issued to date are 205 out of a total of 700 for 2006; and 6) preparation of the flood inundation maps are underway and will be completed within the timeframe that was originally specified. The Board also heard from Mr. Scott Shapiro, Attorney for TRLIA, for a presentation on the permit and agreement.

Mr. McClain announced that he is retiring and this was his last meeting to report to the Board. He advised that Mr. Paul Breuner has been newly appointed as Director of TRLLIA in his place.

13.* PERMIT ACTIONS

Permit No. 17782 BD, Three Rivers Levee Improvement Authority *(Steve Bradley)*

Consider approval of implementation and funding agreements required by Resolution No. 06-14 that addresses Special Condition THIRTEEN of Permit No. 17782 BD.

Chief Engineer Steve Bradley introduced the above permit, which is a follow-up to the April 2006 Board meeting (approve the implementation and funding plan), and introduced Mr. Scott Shapiro, Attorney for TRLIA, presented an overview of what the funding agreements state. (See transcript for details) Chief Counsel Scott Morgan also provided testimony and clarified that this agreement is brought before the Board as a result of direction to staff from the April 2006 Board meeting. (See transcript for details) Mr. Shapiro then requested the Board to approve the agreement as being legally sufficient to implement the policy decision made by the Board at the April 2006 Board meeting. The Board also heard testimony from Mr. Randi Knott, KB Homes.

Upon motion by Mr. Hodgkins, seconded by Ms. Doherty, and after further discussion, the Board unanimously approved the agreement (second implementation agreement) in regard to Permit No. 17782 BD as presented, and with the commitment provided by Mr. Shapiro to incorporate their commitment to ensure notice is provided to the public.

INFORMATIONAL BRIEFINGS

14. DELTA LEVEES REPORT TO CONGRESS *(Lynn O'Leary, U.S. Army Corps of Engineers)*

Ms. Lynn O'Leary, Corps' Sacramento District, providing a briefing to the Board on the Delta Levees Report to Congress. The Report was authorized in October 2004; appropriated in November 2005;

and received funding in December 2005. The Report/Act directs the Corps to describe and prioritize potential levee improvement projects in the Delta.

THIS ITEM WAS HEARD DIRECTLY FOLLOWING ITEM NO. 6.

15. ELDERBERRY PLANTINGS POLICY (Rod Mayer)

BOARD REPORTS

16. BOARD COMMENTS AND TASK LEADER REPORTS

Member Hodgkins briefly reported on the Strategic Plan. He reported that he had been meeting with Reclamation Board and DWR staff regarding 200-year flood protection, and he would also like Reclamation Board and DWR staff to bring a draft policy or analysis on liability and higher flood standard back to the Board for consideration.

Member Doherty announced that the Sacramento River Area Conservation Forum is going to have a meeting and barbecue at the Llano Seco Ranch on May 25, 2006 and the Board is welcome to attend. Member Doherty reported that she is on the Technical Advisory Committee (TAC) and has attended various meetings. The main topics of discussions are regarding restoration projects. The TAC would like to do more additional work in Colusa in the future. President Carter announced that Past General Manager Pete Rabbon was the Board's representative at the TAC meetings; however, he has been attending in his place as a landowner and voting Board member on the SRCIF Board. President Carter also served a Chair of this Board for a year. He reported that the Chair rotates between landowner representatives and public interest representatives from the seven counties involved. Additionally, he reported that the meeting and barbecue is an annual event. And, there are some significant issues with regard to the projects that do not have local support in Colusa County. The bone of contention is that their guidelines and principles state that they will get local support and will address local concerns. Member Doherty stated she was going to attend the TAC event on May 25, 2006 and if any other Board member was interested, please let her know.

President Carter had a comment on the task force groups in general. He clarified the intended role of the task force groups was to allow the Board members to get involved in projects that are involved with the Reclamation Board. They were not intended to become advocates. They are strictly fact-finding groups that allow the Board members to become intimately educated in the issues so they can make more informed decisions. The task forces members role while serving on these task forces is to have discussions, understand all sides of the issues, discuss with staff, applicants and other Board members that are potentially on the task force (Board member). Any Board member is welcome to attend the meetings; however, if there are three or more members in attendance, they must be publicly noticed.

There were no other reports presented.

17. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

The General Manager activities were covered under Item No. 6.

AT THIS TIME, THE BOARD HEARD FROM MR. GLENN GEBHARDT WHO REQUESTED TO SPEAK DURING ITEM NO. 17.

Mr. Glenn Gebhardt, TRLIA, mentioned that the River Islands of Lathrop Task Force was short staffed especially since the resignation of Member Suarez and therefore, he is requested another Board member be assigned to the group. President Carter ensured Mr. Gebhardt that this issue would be placed on the June 16, 2006 agenda for consideration.

18. FUTURE AGENDA

The Board discussed the June 16 agenda (presented in Board packet) and it was determined that this meeting would require two days. Thursday, June 15 would be a tour of West Sacramento 8:30 to 10:00 am and following the Board convened into a regular meeting. Friday, June 16 will be a regular Board meeting beginning at 8:00 am.

19. ADJOURN AT 4:30 PM

Upon motion by Ms. Doherty, seconded by Mr. Hodgkins, and unanimously carried, the meeting was adjourned at 3:50 pm.

Dated: July 21, 2006

Teri E. Rie
Secretary

The foregoing minutes were approved:

Benjamin F. Carter
President